

1 H.577

2 Introduced by Representative Sullivan of Burlington

3 Referred to Committee on

4 Date:

5 Subject: Public service; municipal electric departments; electric cooperatives;
6 voter approval; out-of-state electricity purchases

7 Statement of purpose of bill as introduced: This bill proposes to modify the
8 statutory provisions that require voter approval before a municipal electric
9 department or electric cooperative purchases electricity from outside Vermont.

10 An act relating to voter approval of electricity purchases by municipalities
11 and electric cooperatives

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. 30 V.S.A. § 2924 is amended to read:

14 § 2924. APPROVAL BY VOTERS OF MUNICIPALITY

15 (a) With respect to matters not subject to section 248 of this title, ~~before~~ a
16 municipal department established under this chapter or local charter ~~may~~ shall
17 obtain the approval of the voters of the municipality before in any way;

18 (1) ~~purchase~~ purchasing electric capacity or energy from outside the
19 state, ~~for a period exceeding five years, that represents more than one percent~~
20 ~~of its historic peak demand, or~~ State:

1 (A) for a period exceeding five years, that represents more than three
2 percent of its historic peak demand, unless the purchase is from a plant that
3 produces electricity from renewable energy; or

4 (B) for a period exceeding ten years, that represents more than ten
5 percent of its historic peak demand, if the purchase is from a plant that
6 produces electricity from renewable energy;

7 (2) ~~invest~~ investing in an electric generation or transmission facility
8 located outside this ~~state~~ State; or

9 (3) ~~begin~~ beginning site preparation for or construction of an electric
10 generation facility within the ~~state~~ State, or an electric transmission facility
11 within the ~~state which~~ State that is designed for immediate or eventual
12 operation at any voltage or ~~exercise~~ exercising the right of eminent domain in
13 connection with site preparation for or construction of any such transmission or
14 generation facility, except for the replacement of existing facilities with
15 equivalent facilities in the usual course of business;

16 (b) ~~that~~ A municipal department shall obtain the approval required by
17 subsection (a) of this section by a vote of a majority of the voters of the
18 municipality voting upon the question at a duly warned annual or special
19 meeting to be held for that purpose. Prior to the meeting, ~~a~~ the municipal
20 department may provide to the voters an assessment of any risks and benefits
21 of the proposed action.

1 (c) In this section, “plant” and “renewable energy” have the same meaning
2 as in section 8002 of this title.

3 Sec. 2. 30 V.S.A. § 3044 is amended to read:

4 § 3044. APPROVAL BY MEMBERS OF COOPERATIVE

5 (a) With respect to matters not subject to section 248 of this title, before a
6 cooperative established under this chapter may shall obtain the approval of the
7 voters of the cooperative before in any way;

8 (1) purchase purchasing electric capacity or energy from outside the
9 state, for a period exceeding five years, that represents more than one percent
10 of its historic peak demand, or State:

11 (A) for a period exceeding five years, that represents more than three
12 percent of its historic peak demand, unless the purchase is from a plant that
13 produces electricity from renewable energy; or

14 (B) for a period exceeding ten years, that represents more than ten
15 percent of its historic peak demand, if the purchase is from a plant that
16 produces electricity from renewable energy;

17 (2) invest investing in an electric generation or transmission facility
18 located outside this state State; or

19 (3) begin beginning site preparation for or construction of an electric
20 generation facility within the state State, or an electric transmission facility
21 within the state which State that is designed for immediate or eventual

1 operation at any voltage or ~~exercise~~ exercising the right of eminent domain in
2 connection with site preparation for or construction of any such transmission or
3 generation facility, except for the replacement of existing facilities with
4 equivalent facilities in the usual course of business,.

5 (b) that A cooperative shall obtain the approval required by subsection (a)
6 of this section by a vote of a majority of the voters of the cooperative voting
7 upon the question at a duly warned annual or special meeting to be held for
8 that purpose. Prior to the meeting, a the cooperative may provide to the voters
9 an assessment of any risks and benefits of the proposed action.

10 (c) In this section, “plant” and “renewable energy” have the same meaning
11 as in section 8002 of this title.

12 Sec. 3. EFFECTIVE DATE

13 This act shall take effect on July 1, 2016.